

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

Thare Gonzalez-Medina,

Petitioner,

v.

USA,

Respondent.

No. CV15-2434 PHX DGC (DKD)

**ORDER**

Petitioner, Thare Gonzalez-Medina, filed a motion to vacate sentence pursuant to 28 U.S.C. § 2255 (Doc. 1), which was amended by Petitioner's amended motion to vacate sentence pursuant to 28 U.S.C. § 2255 (Doc. 6). United States Magistrate Judge David K. Duncan has issued a report and recommendation ("R&R") recommending that the amended motion be denied and dismissed with prejudice. Doc. 17. No objection has been filed, which relieves the Court of its obligation to review the R&R. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(3); *Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). The Court will accept the R&R and deny the amended motion.

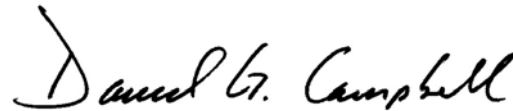
**IT IS ORDERED:**

1. The R&R (Doc. 17) is **accepted**.
2. The amended motion to vacate sentence (Doc. 6) is **denied and dismissed with prejudice..**
3. A certificate of appealability and leave to proceed *in forma pauperis* on

1                    appeal are **denied**

2            4.        The Clerk is directed to **terminate** this action.

3        Dated this 24th day of October, 2016.

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8                    David G. Campbell  
9                    United States District Judge  
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